

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Atsushi FUNABIKI, et al.

PCT Appln. No.: PCT/JP01/03223

Confirmation No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Filed: December 14, 2001

Examiner: Not Yet Assigned

For: POSITIVE ACTIVE MATERIAL FOR SECONDARY BATTERY, PROCESS FOR  
PREPARATION THEREOF AND NON-AQUEOUS ELECTROLYTE SECONDARY  
BATTERY COMPRISING SAME

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a

INFORMATION DISCLOSURE STATEMENT

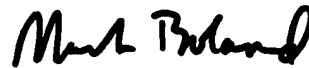
Attorney Docket NO.: Q67681

request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a International Search Report from International bureau in a counterpart application citing such documents, together with an English-language version (if not already included) of that portion of the International Search Report indicating the degree of relevance found by the international bureau.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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MXB/rwl  
Date: December 14, 2001

Substitute for form 1449 A & B/PTO  <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	Not Yet Assigned
				Confirmation Number	Not Yet Assigned
				Filing Date	December 14, 2001
				First Named Inventor	Atsushi FUNABIKI
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	Q67681
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US			
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		EP	0 837 037	A1	04/22/98		
		JP	10-233215		09/02/98		
		JP	10-233212		09/02/98		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		AMINE, et al. "β-FeOOH, a new positive electrode material for lithium secondary batteries". Journal of Power Sources. Volume 81-82. pages 221-223. (1999).	
		International Search Report	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is indicate here if English language Translation is attached.